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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/114,203	07/13/1998	ATSUSHI MIYANISHI	030682-066	8932	
21839 73	21839 7590 04/04/2005			EXAMINER	
BURNS DOANE SWECKER & MATHIS L L P POST OFFICE BOX 1404			JACKSON JR, JEROME		
	ALEXANDRIA, VA 22313-1404		ART UNIT	PAPER NUMBER	
		2815			
			DATE MAILED: 04/04/2005		

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)			
	09/114,203	MIYANISHI ET AL.			
Office Action Summary	Examiner	Art Unit			
	Jerome Jackson Jr.	2815			
The MAILING DATE of this communication a Period for Reply	appears on the cover sheet wit	th the correspondence address			
A SHORTENED STATUTORY PERIOD FOR REF THE MAILING DATE OF THIS COMMUNICATION - Extensions of time may be available under the provisions of 37 CFR after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a included the provider of the provisions of the pro	N. 1.136(a). In no event, however, may a re reply within the statutory minimum of thirty iod will apply and will expire SIX (6) MONT tute. cause the application to become ABA	ply be timely filed (30) days will be considered timely. THS from the mailing date of this communication. ANDONED (35 U.S.C. § 133).			
Status					
1) Responsive to communication(s) filed on 12	<u>2/27/05</u> .				
2a)⊠ This action is FINAL . 2b)□ T	This action is FINAL . 2b) This action is non-final.				
3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.					
Disposition of Claims					
4) ☑ Claim(s) 13-36 is/are pending in the applica 4a) Of the above claim(s) is/are withd 5) ☐ Claim(s) is/are allowed. 6) ☑ Claim(s) 13-36 is/are rejected. 7) ☐ Claim(s) is/are objected to. 8) ☐ Claim(s) are subject to restriction and	Irawn from consideration.				
Application Papers					
9) ☐ The specification is objected to by the Exami	iner.				
10)☐ The drawing(s) filed on is/are: a)☐ accepted or b)☐ objected to by the Examiner.					
Applicant may not request that any objection to the	he drawing(s) be held in abeyand	ce. See 37 CFR 1.85(a).			
Replacement drawing sheet(s) including the corr	- ·	• •			
Priority under 35 U.S.C. § 119					
12) Acknowledgment is made of a claim for forei a) All b) Some * c) None of: 1. Certified copies of the priority docume 2. Certified copies of the priority docume 3. Copies of the certified copies of the priority docume	ents have been received. ents have been received in Apriority documents have been reau (PCT Rule 17.2(a)).	oplication No received in this National Stage			
* See the attached detailed Office action for a li	ist of the certified copies not r	eceived.			
Attachment/c)					
Attachment(s) 1) Notice of References Cited (PTO-892)	A) Interview Co	ummary (PTO-413)			
2) D Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)	/Mail Date			
 Information Disclosure Statement(s) (PTO-1449 or PTO/SB/C Paper No(s)/Mail Date 	5) Notice of Inf 6) Other:	formal Patent Application (PTO-152)			

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

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Claims 13-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shou, Bergemont and Jassowski, all of record.

The new limitations determine that the above references need to be applied as in the previous office action and Board of Appeals decision. The new limitations do not add any structure which was not already decided to be unpatentable for the reasons of record. Also, there are no substantial arguments refuting the applicability of Jassowski. There is no alternative, then, but to maintain the rejection as enunciated in the nonfinal rejection of 9/27/04 and the BOA decision. Nonetheless it is pointed out that Jassopwski shows a plan layout in figure 2 that may be interpreted in various ways. For example exact correspondence of each and every element is not discussed in the specification and various interpretations or deductions may be drawn. There is no argument in applicant's response refuting any deductions made by the examiner regarding Jassowski's figure 2 in his rejection. Therefor the rejection is maintained. Applicant should carefully study figure 2 of Jassowski and the deductions made in the rejection.

Applicant's arguments filed 12/27/04 have been fully considered but they are not persuasive. See the above remarks.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jerome Jackson Jr. whose telephone number is 571 272 1730. The examiner can normally be reached on t-th 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Thomas can be reached on 571 272 1664. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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